

SUBCHAPTER I—CIVIL DEFENSE

PART 185—MILITARY SUPPORT TO CIVIL AUTHORITIES (MSCA)

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AUTHORITY: 50 U.S.C. 2251, as amended; E.O. 12148, 3 CFR 1979 Comp. p. 412.

SOURCE: 58 FR 52667, Oct. 12, 1993, unless otherwise noted.

§ 185.1 Purpose.

This part:

(a) Consolidates all policy and responsibilities previously known as “Military Assistance to Civil Authorities (MACA),” applicable to disaster-related civil emergencies within the United States, its territories, and possessions under DoD Directive 3025.1¹ with those related to attacks on the United States, which previously were known as “Military Support to Civil Defense (MSCD)” under DoD Directive 3025.10.²

(b) Provides for continuation of the DoD Regional Military Emergency Coordinator (RMEC) teams, previously developed under DoD Directive 5030.45³, to facilitate peacetime planning for MSCA and to provide trained teams of DoD liaison personnel to represent essential DoD Components, as appropriate, for response to any national security emergency.

(c) Constitutes a single system for MSCA, by which DoD Components (as defined in § 185.2) shall plan for, and respond to, requests from civil government agencies for military support in dealing with the actual or anticipated consequences of civil emergencies requiring Federal response, or attacks, including national security emer-

gencies as defined in E.O. 12656, 53 FR 47491, 3 CFR 1988 Comp., p. 585.

(d) States the policy and responsibilities by which the Department of Defense responds to major disasters or emergencies in accordance with the Stafford Act, as amended, and supports the national civil defense policy and Federal or State civil defense programs, in cooperation with the Federal Emergency Management Agency (FEMA), under the authority of The Federal Civil Defense Act of 1950.

(e) Designates the Secretary of the Army as the DoD Executive Agent for MSCA.

(f) Authorizes the publication of DoD 3025.1–M, “DoD Manual for Civil Emergencies,” consistent with DoD 5025.1–M.⁴

§ 185.2 Applicability and scope.

This part:

(a) Applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Unified and Specified Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as “the DoD Components”). The term “Military Services,” as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard (when it is operating, or planning for operations, as a Service in the Navy).

(b) Shall govern MSCA activities of all DoD Components in the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and U.S. territories and possessions.

(c) Does not apply to foreign disasters covered by DoD Directive 5100.46.

(d) Focuses on the assignment and allocation of DoD resources to support civilian authorities during civil emergencies arising during peace, war, or transition to war.

(e) Does not integrate contingency war planning as a subelement of MSCA,

¹The May 23, 1980 edition of this Directive has been canceled by DoD Directive 3025.1 dated January 15, 1993.

²Canceled by DoD Directive 3025.1, dated January 15, 1993.

³See footnote 2 to § 185.1(a).

⁴Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

and does not relieve the Chairman of the Joint Chiefs of Staff of his authority to supervise contingency planning.

(f) Does not include military support to civil law enforcement. (See § 185.4(b).)

§ 185.3 Definitions.

Attack. Any attack or series of attacks by an enemy of the United States causing, or that may cause, substantial damage or injury to civilian property or persons in the United States (or its territories) in any manner, by sabotage or by the use of bombs, shellfire, or nuclear, radiological, chemical, bacteriological, or biological means, or other weapons or processes (Federal Civil Defense Act of 1950).

Civil defense. All those activities and measures designed or undertaken to:

(1) Minimize the effects upon the civilian population caused, or that would be caused, by an attack upon the United States or by a natural or technological disaster;

(2) Deal with the immediate emergency conditions that would be created by any such attack or natural or technological disaster; and

(3) Effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack or natural or technological disaster.

Civil disturbances. Group acts of violence and disorders prejudicial to public law and order within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof. The term *civil disturbance* includes all domestic conditions requiring the use of Federal Armed Forces, as more specifically defined in DoD Directive 3025.12.⁵

Civil emergency. Any natural or man-made disaster or emergency that causes or could cause substantial harm to the population or infrastructure. This term can include a “major disaster” or “emergency,” as those terms are defined in the Stafford Act, as amended, as well as consequences of an attack or a national security emergency. Under 42 U.S.C. 5121, the terms “major disaster” and “emergency” are

defined substantially by action of the President in declaring that extant circumstances and risks justify his implementation of the legal powers provided by those statutes.

Civil emergency preparedness. The non-military actions taken by Federal agencies, the private sector, and individual citizens to meet essential human needs, to support the military effort, to ensure continuity of Federal authority at national and regional levels, and to ensure survival as a free and independent nation under all emergency conditions, including a national emergency caused by threatened or actual attack on the United States.

Civil government resources. Civil resources owned by, controlled by, or under the jurisdiction of civilian agencies of the U.S. Government, or of State and local government agencies.

Civil resources. Resources that normally are not controlled by the Government, including workforce, food and water, health resources, industrial production, housing and construction, telecommunications, energy, transportation, minerals, materials, supplies, and other essential resources and services. Such resources cannot be ordered to support needs of the public except by competent civil government authority.

Continental United States Airborne Reconnaissance for Damage Assessment (CARDA). A system of aerial reconnaissance of the Continental United States for determining the effects of a nuclear attack. CARDA integrates the combined resources of all government agencies and Military Services for the National Command Authority.

Defense Coordinating Officer (DCO). A military or civilian official of any DoD Component, who has been designated by the DoD Executive Agent to exercise some delegated authority of the DoD Executive Agency to coordinate MSCA activities under this Directive. The authority of each DCO will be defined in documentation issued or authorized by the DoD Executive Agent, and will be limited either to the requirements of a specified interagency planning process or to a specified geographic area or emergency. (The DoD

⁵ See footnote 4 to § 185.1(f).